

ORDINANCE NO. 01-397

AN ORDINANCE OF THE CITY OF LOS ALTOS AMENDING CHAPTERS
14.02 AND 14.48 OF TITLE 14 OF THE LOS ALTOS MUNICIPAL
CODE REGARDING ALLOWABLE USES AND DESIGN
CRITERIA IN THE CRS (COMMERCIAL RETAIL SALES)
ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF LOS ALTOS DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS: The City Council of the City of Los Altos hereby finds:

- (a) That it is the policy of the State of California, as provided in Section 65860 et. seq. of the California Government Code, that the zoning ordinance shall be consistent with the City's General Plan.
- (b) That adoption of the proposed code amendments is in the best public interest for the promotion of the public health, safety, comfort, convenience, prosperity and welfare.
- (c) That the proposed code amendments will serve to achieve the following objectives of the zoning ordinance: (i) guide community growth along sound lines; (ii) ensure a harmonious and convenient relationship among land uses; (iii) promote business activities of appropriate types; (iv) protect and enhance real property values within the City; and (v) conserve the City's natural beauty, to improve its appearance, and to preserve and enhance its distinctive physical character.
- (d) That the proposed code amendments are consistent with the Los Altos General Plan because they provide a mechanism for implementing the goals, policies and programs of Chapter 6 (Economic Development) of the General Plan, and the policies and principles of the adopted Downtown Urban Design Plan.
- (e) That the CRS Study Committee, comprised of community representatives appointed by the City Council, made recommendations to the City Council regarding allowable uses and design criteria in the CRS zoning district in order to retain and enhance the village atmosphere and pedestrian-oriented environment of downtown Los Altos.
- (f) That the proposed code amendments are consistent with the recommendations that were presented to the City Council in the CRS Study Committee's final report.
- (g) It can be seen with certainty that no environmental effects will occur from the code amendments, and therefore the action is not subject to review under the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- (h) That the City Council and Planning Commission have heard and considered oral comments and written information submitted at public meetings, such comments and information indicating a distinct need for adoption of an ordinance amending the Zoning Ordinance.

SECTION 2. AMENDMENT OF CODE: The definition of "Office uses" is hereby added to Section 14.02.070 of Article 2 of Chapter 14.02 of Title 14 of the Los Altos Municipal Code as follows:

“Office uses” means uses that predominantly sell services to the general public or to businesses and other customers as well. The contact with the general public is not as frequent as with retail businesses or personal services, and a significant portion of the business may take place at other locations. Examples include banks and other financial institutions, law offices, accountants, medical, advertising, financial services and computer support.”

SECTION 3. AMENDMENT OF CODE: The definition of “Retail” contained in Section 14.02.070 of Article 2 of Chapter 14.02 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“Retail uses” means uses (except restaurants and cocktail lounges) that predominantly sell products rather than services, directly to the public, and generally for consumer or household use. Retail uses are designed to attract a high volume of walk-in customers, and have floor space that is devoted predominantly to the display of merchandise to attract customers. Retail businesses may also provide incidental after-sales services, such as repair and installation, for the goods sold. The product(s) for sale shall typically be maintained on site, and sales shall either be by unit or in small quantities directly to the consumer.

In the CRS zone, acceptable retail uses must be found by the City Planner to be consistent with the “village” atmosphere as set forth in the purposes of the CRS zone. Examples of appropriate CRS retail activities are computer and electronic equipment stores, clothing and shoe stores, gift shops, housewares stores, home furnishing stores, and toy stores.”

SECTION 4. AMENDMENT OF CODE: Section 14.48.020 of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“14.48.020 Vision statement and specific purposes (CRS).

Consistency with the following Vision Statement shall be considered for all projects and uses in the CRS zone: The City shall retain and enhance the Downtown Los Altos village atmosphere and shall seek to attract businesses that are consistent with the look and feel of the village. The primary characteristics of the desired village atmosphere include:

A. A mix of uses emphasizing retail businesses and services that meets the needs of community residents and visitors;

B. Buildings and streetscape elements that enhance the pedestrian experience, reflect quality design, present a diversity of appearances, and contribute to the architectural and historical interest of the village;

C. An attractive, pedestrian-oriented shopping environment that encourages social interaction, with substantial landscaping and open space;

D. Unique businesses and specialty stores that will attract customers from the local community and surrounding region; and

E. Encouragement of activities that enhance and extend commercial vitality, including nighttime activities.

In addition to the vision statement, the specific purposes for the CRS district are as follows:

F. Encourage pedestrian-scale design and minimize blank walls and other dead spaces at the ground level;

G. Continue the fine-grain pattern established by existing buildings by discouraging the merging of lots and encouraging building designs that express the underlying twenty-five (25) foot frontages originally established;

H. Create continuous building frontage without major interruption by disallowing driveways and parking lots on shopping street frontages;

I. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;

J. Encourage historic preservation;

K. Encourage the upgrading of building exteriors, signs, passageways, and rear entries;

L. Allow latitude for creative design and architectural variety within limits established;

M. Promote the implementation of the downtown urban design plan; and

N. Establish a sense of entry into the downtown.”

SECTION 5. AMENDMENT OF CODE: Section 14.48.030 (permitted uses in the CRS zone) of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“The following uses shall be permitted in the CRS District:

A. Accessory structures and uses customarily incidental to a permitted use;

B. Business, professional, and trade schools located above the ground floor;

C. Hotels without kitchen facilities, located above the ground floors;

D. Offices located above the ground floor;

E. Parking spaces and loading areas incidental to a permitted use;

E. Personal grooming services, except when located in a ground floor building space that fronts directly on Main Street or State Street;

F. Personal services;

G. Private clubs, lodges, or fraternal organizations located above the ground floor;

H. Restaurants with up to thirty-two (32) total seats (combined indoor and outdoor seating), excluding drive-in and/or take-out services;

I. Retail uses which are determined by the City Planner to be consistent with the village atmosphere as set forth in the vision statement and specific purposes of the CRS zone.

A determination made by the City Planner as to whether a use is permitted within the CRS zone may be appealed to the Planning Commission, and a decision made by the Planning Commission may be appealed to the City Council. All appeals shall be made in writing within fifteen (15) days of the date of the action, and shall be accompanied by the appropriate fee as set forth by resolution of the City Council. A decision made by the Planning Commission may be appealed if so requested by two City Council members at the next regular meeting of the City Council.”

SECTION 6. AMENDMENT OF CODE: Section 14.48.050 C is hereby added to Section 14.48.050 (conditional uses and structures in the CRS zone) of Chapter 14.48 of Title 14 of the Los Altos Municipal Code as follows, with subsequent existing sections to be renumbered accordingly:

“C. Dance and music studios;”

SECTION 7. AMENDMENT OF CODE: Section 14.48.050 P of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“P. Restaurants with greater than thirty-two (32) seats (combined indoor and outdoor seating), excluding drive-in and/or take-out services;”

SECTION 8. AMENDMENT OF CODE: Section 14.48.050 Z of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended as follows:

“Z. - Other uses which are determined by the City Planner to be of the same general character, and are found to be consistent with the village atmosphere as set forth in the vision statement and specific purposes of the CRS zone.

SECTION 9. AMENDMENT OF CODE: The following is hereby added at the end of Section 14.48.050 of Chapter 14.48 of Title 14 of the Los Altos Municipal Code as follows:

“A determination made by the City Planner as to whether a use is conditional in the CRS zone may be appealed to the Planning Commission, and a decision made by the Planning Commission may be appealed to the City Council. All appeals shall be made in writing within fifteen (15) days of the date of the action, and shall be accompanied by the appropriate fee as set forth by resolution of the City Council. A decision made by the Planning Commission may be appealed if so requested by two City Council members at the next regular meeting of the City Council.”

SECTION 10. AMENDMENT OF CODE: Sections 14.48.150 A.1. and A.2. are hereby added to Section 14.48.150 (Design Control in the CRS zone) of Chapter 14.48 of Title 14 of the Los Altos Municipal Code as follows:

“A.1. When considering a proposal to modify the exterior of a building, the City Planner or Architectural and Site Control Committee may require design features to create pedestrian or shopper interest and to preclude inappropriate or inharmonious building design and siting. Such features may include display windows or retail display areas; and/or landscaping or architectural design features intended to preclude blank walls or to enhance building facades. The City Planner or Architectural and Site Control Committee shall only approve exterior modifications to a building if it is determined that it is consistent with the purposes of the CRS district and the City’s Downtown Urban Design Plan.

A.2. When modifying the exterior of a building, interesting architectural features, fixtures, and hardware are encouraged to be retained or replaced with compatible design elements that contribute to the architectural and historical interest of the downtown village. Removal of highly visible, non-original attachments to the building facade shall be encouraged”

SECTION 11. AMENDMENT OF CODE: Section 14.48.150 E of Section 14.48.150 of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“E. The primary access to the ground floor for all buildings shall be directly to the street or parking plazas, not to arcades or interior courtyards.”

SECTION 12. AMENDMENT OF CODE: Section 14.48.150 F.3. of Section 14.48.150 of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended to read as follows:

“3. At the ground floor, opaque, reflective, or dark tinted glass shall not be used for any portions of the building. At least sixty (60) percent of the ground level building facade shall be transparent window surface. Window surfaces on the ground floor should generally have minimum two-foot window sills, except for restaurant uses, which may be higher.”

SECTION 13. AMENDMENT OF CODE: Section 14.48.170 of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended as follows:

"A. Signage shall be visually compatible with the character of the downtown village, and with the architectural style of the building and storefront façade. Internally lit plastic face signs are discouraged. Exposed tube neon window signs shall be limited to not more than two square feet in size, and the minimum number necessary as determined by the City Planner, except where they may be approved otherwise under a sign permit. No more than one exposed tube neon sign shall be lighted at any one time. Sidewalk signs in the public right-of-way must obtain an encroachment permit from the City to ensure that they do not obstruct pedestrian traffic, and that there are not an excessive number of such signs in the vicinity.

B. Signs shall comply with the provisions of Chapter 11.04 of Title 11 of this code."

SECTION 14. AMENDMENT OF CODE: Section 14.48.050 D of Chapter 14.48 of Title 14 of the Los Altos Municipal Code is hereby amended as follows:

"D. Take-out services associated with permitted uses, so long as each use is not less than one-hundred fifty (150) feet from one another."

SECTION 15. PUBLICATION: A summary of this ordinance shall be published in the Los Altos Town Crier, as provided for in Government Code Section 36933.

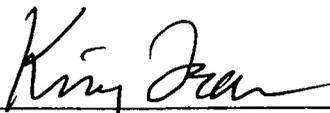
SECTION 16. EFFECTIVE DATE: This ordinance shall become effective upon the commencement of the thirty-first day following the date of its adoption.

The foregoing ordinance was duly introduced at a meeting of the City Council of the City of Los Altos on March 13, 2001, and was thereafter, at a regular meeting held on April 10, 2001, passed and adopted by the following vote:

AYES: Mayor Lear, Councilmembers Becker, Casto, La Poll and Moss

NOES: None

ABSENT: None



King Lear, Mayor

Attest:



Carol Scharz, City Clerk

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